RECEIVED  
MAR 9 6 2001  
TECH CENTER 1600/2600FORM PTO-1449  
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.:  
200.94107 CIP3

SERIAL NO.: 69/598,324

## LIST OF PRIOR ART CITED BY APPLICANT

(Use several sheets if necessary)

APPLICANT(S): Benjamin OSHLACK, et al.

FILING DATE:  
June 20, 2000GROUP:  
1615

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
M	BA	5 1 6 7 9 6 4	12/01/92	Muhammad, et al.	424	482	
	BB	5 2 0 2 1 2 8	04/13/93	Morella, et al.	424	469	
	BC	5 2 6 0 0 7 2	11/1993	Roche, et al.	424	464	
	BD	5 4 1 1 7 4 5	05/1995	Oshlack, et al.	424	490	
	BE	5 4 7 8 5 7 7	12/26/95	Sackler, et al.	424	489	
	BF	5 6 7 2 3 6 0	9/30/97	Sackler, et al.	424	490	
	BG	5 3 8 4 1 3 0	1/24/95	Kamada	424	461	
	BH	5 4 0 1 5 0 2	3/28/95	Wunderdelich et al.	424	195.1	
	BI	5 4 0 5 6 1 6	4/11/95	Wunderlich et al.	424	451	
	BJ	5 3 8 2 4 3 4	1/17/95	de Haan, et al.	424	465	
	BK	5 3 9 5 6 2 7	3/7/95	Dopper et al.	424	489	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	BL							
	BM							
	BN							
	BO							
	BP							

## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

N/E	BR	Gourlay, et al., "Influence of a high-fat meal on the absorption of morphine from oral solutions", CLIN PHARMACOL THER, pp. 403-468, October 1989.
J	BS	MSIR® Package Insert, The Purdue Frederick Company, February 11, 1993 (F3154).
↓	BT	MSIR® Capsules Prescribing Information Booklet, The Purdue Frederick Company, February 11, 1993 (PR101/L149).

EXAMINER

M. Haghighatian

DATE CONSIDERED

7/16/01

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449  
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.:  
200.94107 CIP3

SERIAL NO.: 09/598,324

## LIST OF PRIOR ART CITED BY APPLICANT

(Use several sheets if necessary)

APPLICANT(S): Benjamin OSHLACK, et al.

FILING DATE:  
June 20, 2000

GROUP: 1615

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	CA	5	5	2	7	5	4	3	6/18/96	Dopper et al.	424	489	
	CB	5	5	7	4	1	5	0	11/12/96	Yaginuma et al.	536	56	
	CC	5	6	6	2	9	3	6	9/2/97	Haan et al.	424	479	
M	CD	6	0	7	7	5	3	3	6/20/00	Oshlack, et al.	424	461	
	CE												
	CF												
	CG												
	CH												
	CI												
	CJ												
	CK												

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
													YES	NO
	CL													
	CM													
	CN													
	CO													
	CP													

## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

CR	MSIR®, Product Information Pamphlet (PR 104/L131), The Purdue Frederick Company, Copyright 1993, which includes the following documents: PR108/L233; PR107/L232; and PR100B/L123.
CS	The Merck Index, 11th Edition, Susan Budavari, Editor, Published by Merck & Co., Inc., Rahway, N.J., p. 5224, 1989.
CT	Martindale, The Extra Pharmacopoeia, 25th Edition, p. 54, Edited by James E.F. Reynolds, published by The Pharmaceutical Press, London, 1982.

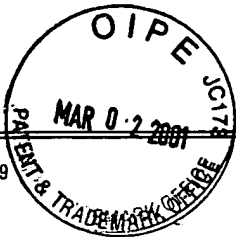
EXAMINER

M. Haghighatian

DATE CONSIDERED

7/16/01

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449  
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.:  
200.94107 CIP3

SERIAL NO.: 09/598,323

## LIST OF PRIOR ART CITED BY APPLICANT

(Use several sheets if necessary)

APPLICANT(S): Benjamin OSHLACK, et al.

FILING DATE:  
June 20, 2000GROUP  
1615

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
M	AA	2 7 3 8 3 0 3	03/13/56	Blythe	167	82	
M	AB	3 6 3 9 1 7 0	02/1972	Hutton, et al.	127	31	
	AC	3 8 4 5 7 7 0	11/05/74	Theeuwes, et al.	128	260	
	AD	3 9 1 6 8 8 9	11/04/75	Russell	128	145.8	
	AE	4 0 6 3 0 6 4	12/13/77	Saunders, et al.	219	121	
	AF	4 0 8 8 8 6 4	05/09/78	Theeuwes, et al.	219	121LM	
	AG	4 2 1 3 9 7 7	07/22/80	Schane, Jr., et al.	424	451	
M	AH	4 8 2 8 8 4 0	05/1989	Sakamoto, et al.	424	474	
	AI	5 0 2 6 5 6 0	06/25/91	Makino, et al.	424	494	
	AJ	5 1 3 2 1 4 2	07/21/92	Jones, et al.	427	196	
M	AK	5 1 3 3 9 7 4	07/1992	Paradissis, et al.	424	480	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AL	WO 93 0 7 8 6 1	04/29/93	PCT	<del>A01K</del>	<del>9/50</del>		X
M	AM	8 6 0 1 7 1 7	27/3/86	WIPO	<del>A01K</del>	<del>31/44</del>		
	AN	5 2 2 9 9 6 1	7/9/93	Japan	<del>A01K</del>	<del>47/12</del>	Abstract	
	AO	WO 95 1 4 4 6 0	6/1/95	PCT	<del>A01K</del>	<del>9/14</del>		
	AP							

## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

N/E	AR	KAIKO, et al. "A single dose study of the effect of food ingestion and timing of dose administration on the pharmacokinetic profile of 30 mg sustained-release morphine sulfate tablets", Current Therapeutic Research, pp. 869-878, Vol. 47, No. 5, May 1990.
	AS	KAIKO, et al. "Controlled release morphine bioavailability (MS Contin® tablets) in the presence and absence of food" The Hospice Journal, pp. 17-30, Vol. 6(4), 1990.
	AT	Gourlay, et al. "The reproducibility of bioavailability of oral morphine from solution under fed and fasted conditions", Journal of Pain and Symptom Management, pp. 431-436, Vol. 6, No. 7, October 1991.

EXAMINER

M. Haghighat

DATE CONSIDERED

7/16/01

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.